

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### EXTRAORDINARY

#### GOVERNMENT OF GOA, DAMAN AND DIU

Home Department 'A'

Notification

No. HD-25-62/71-A

In exercise of the powers conferred by sub-section (3B) of section 63 of the Motor Vehicles Act, 1939 (4 of 1939), the Government of Goa, Daman and Diu hereby publishes the Reciprocal Agreement entered into with the Government of Maharashtra as set out in the Schedule appended hereto.

#### SCHEDULE

##### Reciprocal Transport Agreement between the Government of Maharashtra and Goa Administration

This Agreement made this first day of March one thousand nine hundred and seventy two Between the President of India of the one part and the Governor of Maharashtra of the other part.

Whereas with a view to expediting the economic development of the country by encouraging long distance and Inter-State travel and transport of goods by road, a proposal to enter into an agreement for facilitating Inter-State travel and transport of goods by road was accepted by the Government of Goa, Daman and Diu and the Government of Maharashtra.

And Whereas pursuant to and as required by sub-section (3A) of section 63 of the Motor Vehicles Act, 1939 (IV of 1939), the said proposal was published by the Government of Maharashtra under Government Notification, Home Department, No. MVA-9571/52451-XII-C, dated the 21st September 1971 at pages 442 to 448 of Part IV-A of Maharashtra Government Gazette, Extraordinary, dated the 21st September 1971 and by the Government of Goa, Daman and Diu under Government Notification, Home Department, No. HD-25-62/71-A, dated the 1st October, 1971 in Official Gazette, Extraordinary Series III, No. 27, dated the 1st October 1971 together with a notice for submitting representations in connection therewith.

And Whereas pursuant thereto certain representations were received by the Government of Maharashtra and the Government of Goa, Daman and Diu which were duly considered by the said Governments and as a result thereof the Government of Goa, Daman and Diu desired to make

certain modifications in the said proposal as originally accepted by the said two Governments as aforesaid.

And Whereas the said proposed modifications were considered at a joint meeting of the representatives of the Government of Goa, Daman and Diu and the Government of Maharashtra held on the 10th day of February 1972 whereas an agreement, as hereinafter appearing, was arrived at regarding the said original proposal and the modifications therein proposed by the Government of Goa, Daman and Diu as aforesaid.

NOW THIS AGREEMENT WITNESSETH AND IT IS HEREBY AGREED AND DECLARED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

#### I. Stage Carriages:

(a) Inter-State routes for stage carriages shall mean the routes connection the main nearest traffic points on either side of the border, penetration by passenger transport of either State into the other State being restricted upto the aforesaid traffic point unless otherwise mutually agreed upon in any particular case or cases.

(b) Permits on inter-State routes for operation of Stage carriages as agreed upon shall be countersigned by the reciprocating States as shown in Appendix-I.

(c) The fares and freight charged by the operators in the reciprocating State will not be less than those charged by any operator of that State for similar services.

(d) Any extension of a portion of an inter-State routes lying exclusively in one State may be made by the Transport Authority of that State in respect of services run by the operators of that State without consultation with the Transport Authority of the other State.

(e) The operators of the reciprocating State operating on inter-State routes shall not halt to pick up or set down passengers within any two points on inter-State routes lying in the area of the reciprocating State except as mentioned in Appendix-I against specified routes.

(f) Schedules and timings of stage carriages to be plying on inter-State routes shall be fixed by the Transport Authorities of the two States by mutual consultation.

(g) No temporary permit shall be issued or countersigned by the Transport Authorities of the reciprocating State for the operation of stage carriages on routes specified in Appendix-I, except that temporary stage carriage permits shall be issued and countersigned upto a maximum of 16 return trips per day (1) during April-June and October every year and (2) during festivals, viz. Ganesh Chaturthi, Diwali, Old Goa Festival and Christmas for a period of

15 days for each festival, to be operated by the nominees of Maharashtra and Goa, in the proportion of 10:6. The number of temporary permits so issued and countersigned may be increased upto 20 by mutual consultation between the Transport Authorities of the two States subject to, however, that the distribution of such additional trips between the nominees of the two States shall be in such manner as the Transport Authorities of the two States may decide.

#### II-A. Contract Carriage Permits (Buses):

(a) Contract Carriage Permits (buses) of the nominees of either State shall be countersigned upto a limit of two vehicles for any area of the other State, subject to the condition that the contract carriage (bus) shall be hired by a single party.

(b) Temporary permits upto twenty return trips per month may be issued by the Transport Authorities of each of the two States without countersignatures, subject to the condition that the contract carriage (bus) shall be hired by a single party. The dates of journey and the route shall be specified in the permit.

#### II-B. Contract Carriage Vehicles (Taxi Cabs):

Contract carriage permits (taxi cabs) of the operators of either of the State shall be countersigned upto a limit of ten vehicles for any area of either State subject to the following conditions:—

(a) The contract carriage vehicles (taxi cabs) shall be hired by a single party and shall be used for the return journey by the same party terminating in the area of the home State.

(b) The contract carriage vehicle (taxi cabs) shall not have a seating capacity exceeding 6 persons including the driver.

(c) Temporary permits may be issued upto a limit of five taxi cabs per month by the Transport Authorities of each of the two States without countersignature for a single return trip by a single party on dates and on a route specified in the permit.

#### III. Public Carriers:

##### (A) Countersigned Permits:

(a) The quota of public carrier's permits of each State to be countersigned by the other in accordance with proviso to section 63(3) of the Motor Vehicles Act shall be 400.

(b) The countersignatures shall be granted for plying the vehicles on all National and State Highways with a deviation upto 30 kilometres except on prohibited routes.

(c) The vehicles shall not pick up any goods in the countersigning State for setting down the same at any place enroute in that State and thus indulge in intra-State traffic.

##### (B) Temporary Permits:

(a) There shall be no limit to the number of temporary permits. Temporary permits may be granted for a period not exceeding 30 days at a time by the Transport Authority of the home State without the concurrence of the Transport Authority of the reciprocating State. These permits may be granted for plying the vehicles on all National and State Highways with a deviation upto 30 kilometres in the reciprocating State except on the prohibited routes of that State. For this purpose, both the States will exchange lists of prohibited routes in each State from time to time.

(b) In the case of temporary permits issued by the competent authority in either State for a period not exceeding 30 days, irrespective of whether that period falls in one calendar month or two consecutive calendar months, the taxes due shall be charged for one month only by the Government of Maharashtra and for 30 days only by the Goa Administration.

(c) Temporary permits shall be granted by the home State Transport Authority subject to payment of taxes due to the reciprocating State. The permit issuing officers of the home State shall issue temporary permits only on receipt of demand drafts drawn in favour of the Secretary, State Transport Authority, Goa, or the Director of Transport, Bombay, as the case may be, for the amount of tax payable to the other State.

(d) The Transport Authority of the home State shall send a statement of temporary permits issued, with demand drafts towards the tax paid to the State Transport Authority of the other State, once a month for necessary verification. Particulars of demand drafts shall also be noted in the temporary permits to which they relate.

#### IV. Private Carriers:

The quota of private carrier's permits of such State to be countersigned by the other shall be 30. The home State Transport Authority shall satisfy itself about the bonafides of the business of the applicants in the other State, before recommending their applications for grant of countersignature for the area or routes applied for.

##### General:

Where a provision has been made in this agreement for the grant of countersignature on permits of the operators of the reciprocating States, the State Government shall arrange with the Transport Authorities concerned for the grant of such countersignature to such operators as may be nominated by the reciprocating State and no other operators.

2. All vehicles plying on regular or temporary permits duly countersigned by the Transport Authority of the reciprocating State shall be exempted from the payment of taxes leviable under the Motor Vehicles Tax Act concerned in the reciprocating State. For the removal of any doubt it is hereby made clear that vehicles plying on temporary permits without such countersignature shall not be exempted from the payment of the motor vehicles tax in the reciprocating State. Any Motor Vehicles Tax leviable in the reciprocating States shall be paid by the operator in advance of the issue of the permit valid for that State.

3. Vehicles plying on special contract carriage permits issued under section 63(6) of the Motor Vehicles Act, 1939 shall be exempted from payment of motor vehicles tax in the reciprocating State.

4. The reciprocating States shall accord recognition to the tax tokens, conductors licences, public service authorisations, certificates of registration and fitness etc. of the other State.

5. The agreement shall be valid for a period of three years from the date of ratification and shall be reviewed annually for any revision of the terms, if necessary.

6. Every permit granted as per agreement should incorporate the following conditions:—

«The permit is issued strictly in terms of inter-State agreement between the Government of Goa Administration and the Government of Maharashtra. If the permit holder or his agent or his driver uses the vehicle in a manner not authorised by the permit such use will be deemed to be without any valid permit and the Transport Authority which detects such an use is free to take such action against the user or the permit holder as is possible under the law, in addition to such action as his home Transport Authority can take».

IN WITNESS WHEREOF THE President of India hath caused the Chief Secretary to the Government of Goa, Daman and Diu to hereto set his hand and affix his official seal for and on his behalf and the Governor of Maharashtra hath caused Secretary to the Government of Maharashtra, Home Department to hereto set his hand and affix his official seal for and on his behalf the day and year first hereinabove written.

SIGNED, SEALED and DELIVERED

by Shri K. N. Srivastava

Chief Secretary to the Government of Goa, Daman and Diu  
for and behalf of the President of India in the presence  
of—

Seal

(1) Shri S. R. Sawant

(2) Shri M. K. Bhandari

SIGNED, SEALED and DELIVERED

by Shri J. C. Agarwal

Secretary to the Government of Maharashtra, Home Department,  
for and on behalf on the Governor of Maharashtra  
in the presence of:

Seal

(1) Shri N. Y. Bhapkar

(2) Shri A. V. Shirolkar

Sd/-

(K. N. Srivastava)  
Chief Secretary

Sd/-

Deputy Secretary  
(Appointments)

Sd/-

Under Secretary  
Home Department, Panaji.

Sd/-

Secretary to the Govt. of Maharashtra,  
Home Department

Sd/-

Under Secretary to the Govt. of Maharashtra,  
Home Department, Sachivalaya,  
Bombay

Sd/-

Superintendent,  
Home Department,  
Sachivalaya, Bombay.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.  
G. M. Sardesai, Under Secretary (Home).  
Panaji, 5th May, 1972.

## APPENDIX I

## Part 'A'

Sl. No.	Name of the routes	No. of re- turn trips	No. of permits to be granted/ to be counter- signed	Trips to be operated			
				Maharashtra		Goa	
				No. of return trips	No. of permits to be granted/ /counter- signed	No. of return trips	No. of permits to be granted/ /counter- signed
1.	Sawantwadi/Panaji via Dodamarg ... ..	12	12	6	6	6	6
2.	Sawantwadi to Valpoi via Dodamarg and Asnora	5	5	2	2	3	3
3.	Sambhaji to Sawantwadi via Margao, Ponda, Sanqueli ... ..	2	2	—	—	2	2
4.	Panaji-Tilari via Dodamarg ... ..	1	1	—	—	1	1
5.	Sawantwadi-Ponda via Mangueshi ... ..	1	1	1	1	—	—
6.	Sawantwadi-Morji via Pednem, Patradevi ... ..	1	1	1	1	—	—
7.	Margao to Sal via Dodamarg ... ..	1	1	—	—	1	1

Note: — Picking up and setting down of passengers on the above routes is allowed at any place on the routes.

## APPENDIX I

## Part 'B'

Sl. No.	Name of the routes	No. of re- turn trips	No. of permits to be granted/ /counter- signed	Trips to be operated			
				Maharashtra		Goa	
				No. of return trips	No. of permits to be granted/ /counter- signed	No. of return trips	No. of permits to be granted/ /counter- signed
1.	Bombay-Panaji via Mahad, Chiplun, Hatkhamba, Rajapur, Kankawali, Sawantwadi, Mapusa ...	4	4	3	3	1	1
2.	Bombay-Margao via Mahad, Chiplun, Hatkhamba, Dodamarg, Sanqueli, Ponda ... ..	2	2	—	—	2	2
3.	Panaji-Poona via Dodamarg, Kankawali, Fonda- ghat, Kolhapur ... ..	2	2	1	1	1	1

*Note:*—In case of the above routes the nominees of either States are allowed to set down only the passengers in the area of the reciprocating States at the following stages:—

Stages for Goa operators on journey towards Bombay only.

Panaji-Bombay and Margao-Bombay routes-Kankawali, Chiplun, Mahad, Thana.

For Maharashtra operators towards Panaji only—Asnora, Mapusa, Betim.

Stages for Goa operators on Panaji-Poona route:—

Kankawali, Kolhapur, Satara on journey towards Poona.

Stages for Maharashtra operators on Panaji-Poona route:—

Asnora, Mapusa, Betim on journey towards Panaji.

#### APPENDIX I

##### Part 'C'

Sl. No.	Name of the routes	No. of re- turn trips	No. of permits to be granted/ to be counter- signed	Trips to be operated			
				Maharashtra		Goa	
				No. of return trips	No. of per- mits to be granted/ counter- signed	No. of return trips	No. of permits to be granted/ to be counter- signed
1.	Bombay to Sadashtvgad via Mahad, Chiplun, Halkhamba, Dodamarg, Sanquell, Ponda, Kawale, Margao, Polem ... ..	1	1	1	1	—	—

*Note:*—On the above routes the Maharashtra nominees are allowed to set down or pick up the passengers on the following stages:—

Sanquellin, Ponda, Kawale, Margao, Kankona, Polem.